



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/540,756	03/31/2000	Laura L. Mahan	81395-157	3424

7590

10/27/2003

John W Knox
Box 11560 Vancouver Centre
2200 650 West Georgia Street
Vancouver, V6B 4N8
CANADA

EXAMINER

VAUGHN, GREGORY J

ART UNIT

PAPER NUMBER

2178

DATE MAILED: 10/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/540,756

Applicant(s)

MAHAN ET AL.

Examiner

Gregory J. Vaughn

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 March 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

1. This action is responsive to the application filing, Application filed on 3/31/2000.
2. Claims 1-32 are pending in the case, claims 1, 11, 14, 15, 16, 17, 27, 28, 29, and 30 are independent claims.

Drawings

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "34" has been used to designate both a presentation window in Figure 5 and a preview window in Figure 6. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description:
 - *"to produce a display as shown generally at 33 in Figure 6"* recited in line 8 on page 7. Figure 6 does not include the reference sign.
 - *"Referring to Figures 4 and 6, upon selection of the presentation window 33"* recited on lines 8-9 on page 7. Neither figure includes the reference sign.

- *"user selection portion shown generally at 40"* recited in reference to Figure 4 on line 18 of page 7. Figure 4 does not include the reference sign.
- *"Block 72 then directs the processor"* recited in reference to Figure 9 on line 23 of page 9. Figure 9 does not include the reference sign.
- *"content record 54"* recited on line 29 of page 8 to line 1 of page 9 and on line 24 of page 9. None of the drawings contain the reference sign. Furthermore, the *"content record"* was previously referred to as reference sign "31".

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

5. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description:

- "34" in Figure 5
- "70" in Figure 9

A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

6. The disclosure is objected to because of the following informalities:

- The disclosure recites "*shown generally at 33 in Figure 6*" in line 8 of page 7, but reference sign "33" is not shown in Figure 6.
- The disclosure recites "*Referring to figures 4 and 6, upon selection of the presentation window 33*" in line 9 of page 7, but reference sign "33" is not shown in either figure.
- The disclosure recites "*user selection portion shown generally at 40*" in reference to Figure 4 on line 18 of page 7. Figure 4 does not show the reference.
- The disclosure recites "*content record 54*" on line 29 of page 8 to line 1 of page 9 and on line 24 of page 9. None of the drawings contain the reference sign. Furthermore, the "*content record*" was previously referred to as reference sign "31".
- The disclosure recites "*Block 72 then directs the processor*" in reference to Figure 9 on line 23 of page 9. Figure 9 does not include the reference sign.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

"A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States."

8. Claims 1-3, 6-19, and 22-32 are rejected under 35 U.S.C. 102(b) as being anticipated by Gill et al. US patent 6,281,262 (filed 12/4/1996, patented 6/27/2000).

"Gill et al." is hereafter referred to as "Gill".

9. In regard to independent claim 1, the claim recites:

"A method of building a presentation, the method comprising:

a) receiving user input identifying multimedia content to be included in said presentation; and

b) copying multimedia content identified by said user-input from a multimedia source to memory, for access by a presentation application."

The first limitation of the claim is directed toward a user identifying multimedia content. Gill anticipates the limitation. Gill recites *"the author defines a movie object MB into which is imported a movie, which is stored in memory, and obtained from one of the sources named above"* (column 10, lines 11-13)

The second limitation of the claim is directed toward copying multimedia content. Gill anticipates the claim. Gill recites *"multi-media presentation generation system*

MPG comprises a page based document layout system Q which functions to define the basic workspace for the user into which the plurality of media objects are imported" (column 5, lines 23-27), (compare "copy" to "import").

10. In regard to dependent claim 2, the claim recites:

"The method claimed in claim 1 wherein copying comprises copying said multimedia content from an application while said application is using said multimedia content."

The claim is directed toward copying multimedia content while said multimedia content is in use by an application. Gill anticipates the limitation. Gill recites *"Since the multi-media data is stored and processed by the page based document layout system Q in a transparent manner"* (column 15, lines 49-51).

11. In regard to dependent claim 3, the claim recites:

"The method claimed in claim 1 further comprising associating an identifier with said multimedia content, for access by the presentation application."

The claim is directed toward associating an identifier to the multimedia content. Gill anticipates the claim. Gill recites *"The multi-media authoring tool assigns a unique identification to each object that has multi-media information and that is located in the multi-media presentation"* (column 4, lines 12-14).

12. In regard to dependent claim 6, the claim recites:

"The method claimed in claim 1 further comprising associating user definable notes with said multimedia content, for use by the presentation application."

The claim is directed toward a capability for the user to add notes. Gill anticipates the claim. Gill recites "*The author must populate each of the individual frames with the selected video, graphical, and textual material*" (column 1, lines 34-36).

13. In regard to dependent claim 7, the claim recites:

"The method claimed in claim 1 further comprising producing a multimedia content record accessible by the presentation application, said multimedia content record including a link to said multimedia content in said memory."

The claim is directed toward creating a content record that includes a link to the multimedia content. Gill anticipates the claim. Gill discloses a content record. Gill recites "*for multi-media content, with the hidden information which defines the multi-media content*" (column 7, lines 28-30). Gill discloses a link to the multimedia content. Gill recites "*The author also defines a path PL ... The path PL represents a motion definition for a object having some content, which object is tied to the path*" (column 10, lines 21-26).

14. In regard to dependent claim 8, the claim contains substantially the same subject matter as claims 3 and 7 combined, and is rejected with the same rational.

15. In regard to dependent claim 9, the claim contains substantially the same subject matter as claims 1 and 2 combined, and is rejected with the same rational.

16. In regard to dependent claim 10, the claim contains substantially the same subject matter as claims 1 and 2 combined, and is rejected with the same rational.

17. **In regard to independent claims 11, 14, 15, 16, 17, 27, 28 29, and 30, the** claims contains substantially the same subject matter as claim 1 and are rejected with the same rational.

18. **In regard to dependent claim 12, the claim recites:**

"The method claimed in claim 11 wherein presenting comprises directing a viewing application to said multimedia content previously identified by the user."

The claim is directed toward a viewing application for the multimedia presentation. Gill anticipates the claim. Gill recites *"the multi-media authoring tool A operates in conjunction with the page based document layout system Q to extend the menu based, static object manipulation capability of the page based document layout system Q to encompass dynamic multi-media objects. The dynamic objects each comprise viewable data which is presented pursuant to a set of parameters"* (column 5, lines 52-58).

19. **In regard to dependent claim 13, the claim recites:**

"The method claimed in claim 12 further comprising automatically directing said viewing application to said multimedia content previously identified by the user."

The claim is directed toward an automatically enabled viewing application for the multimedia presentation. Gill anticipates the claim. See the recitation for claim 12. Gill's viewer is enabled without user intervention, and is hence automatic.

20. **In regard to dependent claim 18, the claim contains substantially the same** subject matter as claim 2 and is rejected with the same rational.

21. **In regard to dependent claim 19**, the claim contains substantially the same subject matter as claim 3 and is rejected with the same rational.
22. **In regard to dependent claim 22**, the claim contains substantially the same subject matter as claim 6 and is rejected with the same rational.
23. **In regard to dependent claim 23**, the claim contains substantially the same subject matter as claim 7 and is rejected with the same rational.
24. **In regard to dependent claim 24**, the claim contains substantially the same subject matter as claim 8 and is rejected with the same rational.
25. **In regard to dependent claim 25**, the claim contains substantially the same subject matter as claim 9 and is rejected with the same rational.
26. **In regard to dependent claim 26**, the claim contains substantially the same subject matter as claim 10 and is rejected with the same rational.
27. **In regard to dependent claim 31**, the claim contains substantially the same subject matter as claim 12 and is rejected with the same rational.
28. **In regard to dependent claim 32**, the claim contains substantially the same subject matter as claim 13 and is rejected with the same rational.

Claim Rejections - 35 USC § 103

29. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

"(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made."

30. Claim 4, 5, 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gill in view of Fields et al. US Patent 6,128,655 (filed 7/10/1998, patented 10/3/2000). "*Fields et al.*" is hereafter referred to as "*Fields*".

31. In regard to dependent claim 4, the claim recites:

"The method claimed in claim 3 wherein associating an identifier comprises associating a uniform resource locator with said multimedia content."

The claim is directed toward using a uniform resource locator (URL) as an identifier. Gill discloses the use of an identifier for the multimedia content. Gill fails to disclose the use of URLs as identifiers. Fields teaches that a URL can be used as an identifier. Fields recites "*In the Internet paradigm, a network path to a server is identified by a so-called Uniform Resource Locator (URL)*" (column 1, lines 17-19).

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time the invention was made, to use URLs as identifiers to internet multimedia content because URLs uniquely identify all internet content.

Art Unit: 2178

32. In regard to dependent claim 5, the claim recites:

"The method claimed in claim 4 wherein associating an identifier comprises associating with said multimedia content a uniform resource locator identified by an application using said multimedia content."

The claim is directed toward using a uniform resource locator (URL) as an identifier while said multimedia content is in use by an application. The limitations of this claim contain substantially the same subject matter as claims 1 and 4 combined, and is rejected with the same rational.

33. In regard to dependent claim 20, the claim contains substantially the same subject matter as claim 4, and is rejected with the same rational.

34. In regard to dependent claim 21, the claim contains substantially the same subject matter as claim 5, and is rejected with the same rational.

35. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

• Isle et al.	US Patent 4,931,950	Filed 7/25/1988
• Quentin et al.	US Patent 5,208,745	Filed 1/4/1990
• Allen et al.	US Patent 5,473,744	Filed 7/6/1994
• Ottesen et al.	US Patent 5,630,104	Filed 5/18/1995
• Escobar et al.	US Patent 5,659,793	Filed 12/22/1994
• Wissner	US Patent 5,752,029	Filed 6/6/1995
• Jennings	US Patent 5,781,186	Filed 2/2/1996
• Escobar et al.	US Patent 5,826,102	Filed 9/23/1996
• Milne et al.	US Patent 5,848,291	Filed 9/15/1995
• Moorby et al.	US Patent 5,892,507	Filed 8/12/1996
• Davis et al.	US Patent 5,969,716	Filed 8/6/1996
• Gibbons et al.	US Patent 6,100,881	Filed 10/22/1997
• Petelycky et al.	US Patent 6,204,840	Filed 4/8/1998
• Davis et al.	US Patent 6,243,087	Filed 9/28/1999
• Milne et al.	US Patent 6,421,692	Filed 11/20/1998

• Meier et al. US Patent 6,415,303 Filed 6/6/1996


Conclusion

36. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Vaughn whose telephone number is (703) 305-4672. The examiner can normally be reached Monday to Friday from 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached at (703) 308-5186. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Gregory J. Vaughn
October 17, 2003


SANJIV SHAH
PRIMARY EXAMINER